

IN THE UNITED STATES COURT OF FEDERAL CLAIMS
OFFICE OF SPECIAL MASTERS

LUKE JAMES LEWIS,

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Petitioner,

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No. 05-1160V

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Special Master Christian J. Moran

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v.

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SECRETARY OF HEALTH
AND HUMAN SERVICES,

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Filed: June 6, 2007

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Respondent.

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Scott W. Rooney, Esq., Morgan & Meyers, PLC, Dearborn, Michigan, for Petitioner;
Mark C. Raby, Esq., U.S. Department of Justice, Washington, D.C., for Respondent.

DECISION¹

On June 1, 2007, the parties filed a joint stipulation concerning the injuries received by petitioner, Luke James Lewis. Mr. Lewis filed a petition for compensation on October 28, 2005 and an amended petition on November 30, 2006. In his petition, Mr. Lewis alleged that he received the influenza, tetanus toxoid, inactivated polio, hepatitis A, and hepatitis B vaccines on November 22, 2002 and November 29, 2002. Mr. Lewis further alleged that the vaccines caused him to suffer anaphylactic shock.

¹ Because this unpublished decision contains a reasoned explanation for the special master's action in this case, the special master intends to post it on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002).

Vaccine Rule 18(b) states that all decisions of the special masters will be made available to the public unless they contain trade secrets or commercial or financial information that is privileged and confidential, or medical or similar information whose disclosure would clearly be an unwarranted invasion of privacy. When such a decision or designated substantive order is filed, petitioner has 14 days to identify and to move to delete such information before the document's disclosure. If the special master, upon review, agrees that the identified material fits within the banned categories listed above, the special master shall delete such material from public access.

Respondent denies that Mr. Lewis suffered from anaphylactic shock caused by the vaccines. Nevertheless, the parties agree to the joint stipulation, attached hereto as Appendix A. The undersigned finds said stipulation reasonable and adopts it as the decision of the Court in awarding damages, on the terms set forth therein.

Damages awarded in that stipulation include:

A lump sum of \$20,000.00 in the form of a check payable to Petitioner. This amount represents compensation for all damages that would be available under 42 U.S.C. § 300aa-15(a).

In the absence of a motion for review filed pursuant to RCFC, Appendix B, the clerk is directed to enter judgment in case 05-1160V according to this decision and the attached stipulation.

Any questions may be directed to Shana Z. Siesser at (202) 357-6358.

IT IS SO ORDERED.

Christian J. Moran
Special Master